

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

CHANTE HAMMONDS,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:20-657
v.	:	
	:	(JUDGE MANNION)
ROBERT AIGELDINGER,	:	
	:	
Defendant	:	

ORDER

In accordance with the court's Memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1)** The motion to dismiss of Defendant Aigeldinger, **(Doc. 28)**, with respect to Counts I and III of Plaintiff's amended complaint, **(Doc. 15)**, is **GRANTED IN PART** and **DENIED IN PART**.
- (2)** Defendant's motion to dismiss is **GRANTED** as to Count I to the extent that Defendant is sued in his official capacity, and Defendant's motion is **DENIED** as to Count I to the extent that Defendant is sued in his individual capacity. Plaintiff's federal claims in Count I against Defendant in his individual capacity shall **PROCEED**.

- (3) Defendant's motion to dismiss is **GRANTED** as to the official oppression and threat of official act claims included in Count III, and these claims are **DISMISSED WITH PREJUDICE**.
- (4) Defendant's motion to dismiss is **GRANTED** with respect to the false imprisonment claim in Count III, to the extent that Defendant is sued in his official capacity. Defendant's motion to dismiss is **DENIED** as to the false imprisonment claim in Count III, to the extent that Defendant is sued in his individual capacity, and this claim shall **PROCEED**.
- (5) Plaintiff's claim for declaratory relief in her amended complaint is **DISMISSED WITH PREJUDICE**.
- (6) Defendant is directed to file his answer to the remaining claims against him in plaintiff's amended complaint **within 14 days** of the date of this Order.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATED: July 16, 2021
20-657-01-Order